

REMARKS

Claims 1, 5-30, and 35-53 are pending in the application. By this Amendment, claims 1 and 27 have been amended, and new claims 50-53 have been added. No new matter has been added. Applicant respectfully requests prompt reconsideration and examination of the application.

Claims 1, 5-11, 14-20, 24, 27-30, 35-43, 45-48, and 50 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,505,956 to Kim et al. (hereinafter "Kim"), and these claims were also rejected under 35 U.S.C. § 103(a) over Kim. In addition, claims 12 and 13 were rejected under § 103(a) over Kim in view of U.K. Patent Publication GB 2,307,862 (hereinafter GB '862"); claims 21-23 were rejected under § 103(a) over Kim in view of U.S. Patent No. 5,585,111 to Peterson; claims 25 and 26 were rejected under § 103(a) over Kim in view of U.S. Patent No. 5,026,552 to Gueret et al.; claim 44 was rejected under § 103(a) over Kim in view of U.S. Patent No. 6,338,839 to Auguste et al.; and claim 49 was rejected under § 103(a) over Kim in view of U.S. Patent No. 5,962,417 to Gilchrest et al. Applicant respectfully requests that the Examiner withdraw these rejections.

Regarding independent claim 1, Kim does not disclose or suggest a composite structure including, *inter alia*, at least one adhesive matrix between at least two non-adhesive layers, the two non-adhesive layers being permanently bonded to the adhesive matrix. To the contrary, Kim discloses a medicinal adhesive consisting of a support 1, two to five adhesive layers 2, 3, and a separate liner 4. See, e.g., col. 4, lines 43-44, 48-49, and 53-55; and col. 5, lines 35-36. Kim discloses the upper adhesive layer 2 being rolled onto the support 1 and the lower adhesive layer 3 being

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

laminated onto the upper adhesive layer 2. See, e.g., Examples 1-4. Kim does not disclose or suggest the separate liner 4 being permanently bonded to either of the adhesive layers 2 and 3. In fact, a person skilled in the art would understand that the separate liner 4 is removable from the adhesive layer 3, such that the adhesive layer can be placed in contact with the skin. Indeed, Kim discloses that lowest layer 3 of adhesive "is to be contacted with the skin". See, e.g., col. 4, lines 44-45 and 49-50; col. 5, lines 14-19. Therefore, Kim does not disclose or suggest the composite structure, as recited in claim 1.

GB '862, Peterson, Gueret et al., Auguste et al., and Gilchrist et al. fail to overcome the above-noted deficiencies of Kim, and are not cited for those teachings. Accordingly, the § 102(b) and § 103(a) rejections of independent claim 1 should be withdrawn.

Regarding independent claim 27, the cited art does not disclose or suggest a method for manufacturing a composite structure including, *inter alia*, assembling together a first non-adhesive layer and a second non-adhesive layer such that an adhesive matrix is sandwiched between the first and second non-adhesive layers, the first and second non-adhesive layers being permanently bonded together by the adhesive matrix. As discussed above with respect to claim 1, Kim does not disclose or suggest either of the adhesive layers 2 and 3 being permanently bonded to the removable liner 4. Therefore, the §§ 102(b) and 103(a) rejections of independent claim 27 should also be withdrawn.

Claims 5-26, 28-30, and 35-53 depend from either claim 1 or claim 27 and are therefore allowable for at least the same reasons claims 1 and 27 are allowable.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

The Office Action contains numerous characterizations of the invention, the claims, and the related art, with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Office Action.

Applicant respectfully requests reconsideration of this application, withdrawal of the claim rejections, and timely allowance of the pending claims.

If the Examiner believes a telephone conversation might advance prosecution, the Examiner is invited to call Applicant's undersigned attorney at 202-408-4252.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§1.16 or 1.17, which is enclosed herewith, including any fees required or an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 06-0916:

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 21, 2002

By: _____


Jay A. Stelacone
Reg. No. 42,168

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

APPENDIX

Version with markings to show changes made, pursuant to 37 C.F.R. § 1.121(c)(1)(ii)

IN THE CLAIMS:

Please amend claims 1 and 27 as follows:

1. (Twice Amended) A composite structure for at least one of treating, making up, and cleaning a surface region, the composite structure comprising:
 - at least two non-adhesive layers, at least one of the two non-adhesive layers being permeable to a solvent; and
 - at least one adhesive matrix between the two non-adhesive layers, the adhesive matrix comprising a permanent adhesive, the two non-adhesive layers being permanently bonded to the adhesive matrix, the adhesive matrix containing at least one active agent that is soluble in said solvent,
 - wherein the composite structure is configured so that when the composite structure is wetted by the solvent, the active agent is released from the adhesive matrix and diffuses towards the surface region.
27. (Twice Amended) A method of manufacturing a composite structure for at least one of cleaning, treating, and making up a surface region, the method comprising:
 - coating a first non-adhesive layer with an adhesive matrix comprising a permanent adhesive, said adhesive matrix containing at least one active agent, the active agent being released when the composite structure is wetted by a solvent; and
 - assembling together the coated first non-adhesive layer with a second non-adhesive layer such that the adhesive matrix is sandwiched between the first non-adhesive layer and the second non-adhesive layer, the first non-adhesive layer and the second non-adhesive layer being permanently bonded together by the adhesive matrix.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com